

REMARKS

The Office Action dated January 21, 2009, has been received and carefully considered. In this response, the specification abstract and claims 23, 24, 25, and 29 have been amended. No new matter has been added. Entry of the amendments to the specification abstract and claims 23, 24, 25, and 29 is respectfully requested. Reconsideration of the current rejections in the present application is also respectfully requested based on the following remarks.¹

I. SUPPORT IN THE SPECIFICATION IS FOUND FOR THE TERM "COMPUTER READABLE STORAGE MEDIUM"

On page 2 of the Office Action, the Examiner objects to the term "computer readable storage medium" in claim 23, noting that the term "does not appear in the specification." Office Action, page 2. Applicants respectfully disagree.

In the above-referenced application, which published as U.S. Pub. No. 2005/0066222, support for the term "computer readable storage medium" may be found, for example and without

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions made by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., assertions regarding dependent claims, whether a reference constitutes prior art, whether references are legally combinable for obviousness purposes) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

limitation, at least at paragraphs [0058]-[0061], [0145]-[0148], and Figure 9 and the associated text in the specification. Figure 9, for example, shows a CPU 290 in connection with ROM 294 and Memory 296. Paragraph [0146] states, in pertinent part:

[t]he CPU 290 implements software that is provided in the ROM 294 and also software in memory 296, which software can be accessed, for example, over the internal network interface 284 or in the physical store 36.

Paragraph [0059] states, in pertinent part:

the host 34 includes a number of computers on a computer network. The host can include a storage network that is accessed by one or more users via a plurality of workstations, personal computers, or a combination of the two.

Applicants respectfully submit that proper support may be found for the term "computer readable storage medium" at least at the above-referenced citations in the specification. Additional citations may also be found in the specification.

On page 3 of the Office Action, the Examiner requests support in the specification for the term "computer readable medium" in claims 24, 25, and 29. Claims 24, 25, and 29 have been amended to replace the term "computer readable medium" with "computer readable storage medium" as in claim 23. Shown above, the term "computer readable storage medium" finds support in the specification.

On page 3 of the Office Action, the Examiner objects to the use of the term "the computer readable medium" in claims 23, 24, 25, and 29. Claim 23 recites, in pertinent part, "computer readable storage medium. . . ." Amendments to claim 23, and claims 24, 25, and 29, which are dependent upon independent claim 23, are respectfully submitted to also claim "computer readable storage medium. . . ." Entry of the amendments to claims 23, 24, 25, and 29 is respectfully requested.

II. THE ABSTRACT IS AMENDED TO COMPLY WITH ABSTRACT REQUIREMENTS

On page 3 of the Office Action, the Examiner objects to the form of the abstract. A marked-up replacement abstract in accordance with MPEP § 714(II)(B) is respectfully submitted as Appendix A. Entry of the amendments to the specification abstract is respectfully requested.

III. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the

U.S. Patent Application No.: 10/668,833
Attorney Docket No.: 68865.001002
Client Reference No.: S07-4001-US

present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

Hunton & Williams LLP

By:


Thomas E. Anderson

Registration No. 37,063

TEA:JBB/tmf

Hunton & Williams LLP
1900 K Street, N.W.
Washington, D.C. 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201

Date: *March 23, 2009*

U.S. Patent Application No.: 10/668,833
Attorney Docket No.: 68865.001002
Client Reference No.: S07-4001-US

APPENDIX A - AMENDED ABSTRACT